



*United States Attorney
Southern District of New York*

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**U.S. SENTENCES JAMES SABATINO TO 137 MONTHS
FOR PHONE FRAUD CONDUCTED FROM WESTCHESTER COUNTY JAIL**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced that JAMES SABATINO was sentenced today to 11 years and 5 months in prison for having defrauded suppliers of hundreds of thousands of dollars worth of goods and services during phone calls placed from the Westchester County Jail.

SABATINO, 27, was sentenced today in White Plains federal court by United States District Court Judge CHARLES L. BRIEANT, who also ordered SABATINO to pay \$937,860.93 in restitution to the victims of his offense. He pled guilty to the fraud in August 2003.

While serving his sentence for threatening to kill a federal prosecutor, SABATINO was transferred to the Westchester County correctional facility in Valhalla, New York. According to a Complaint filed last year, from February through August of 2002 SABATINO placed calls from that correctional facility pretending to be any of various executives at companies in the entertainment

industry.

According to the Complaint, SABATINO placed calls, for example, to sales representatives of Nextel Communications, Inc., claiming that he was an executive at a film company who needed Nextel cell phones for a film shoot, or another project. Calls placed by SABATINO, according to the Complaint, were forwarded automatically to another number that had three-way calling capacity, which was used to place outbound calls, including calls to Nextel sales representatives. Shipments of cell phones were then sent to addresses designated by SABATINO and picked up by others; Nextel estimates that it shipped more than 1,000 cell phones as a result of this fraud, according to the Complaint.

Mr. COMEY praised the investigative efforts of the United States Secret Service and the Special Investigative Unit of the Westchester Department of Corrections. Mr. COMEY also noted the important assistance provided to the investigation by the New York Electronic Crimes Task Force, the United States Postal Inspection Service, the United States Marshals Service and the New York City Police Department.

Assistant United States Attorney STEPHEN J. RITCHIN is in charge of the prosecution.

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